

KEITH S. SLAYDON,

Plaintiff,

V.

WATER COUNTRY USA, et al.,

Defendant.

Civil Action No.: 5:14cv00024

By: Hon. Michael F. Urbanski
United States District Judge

ORDER

This matter was removed from the Circuit Court of Rockingham County on May 30, 2014, by defendant Seaworld Entertainment (“Seaworld”). Dkt. No. 1. That same day Seaworld filed a Motion to Dismiss for Improper Venue, arguing that venue was improper under 28 U.S.C. § 1391(b). Dkt. No. 4. On June 4, 2014, the court referred this matter to the Honorable Joel C. Hoppe, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b)(1)(B), for proposed findings of fact and a recommended disposition. Dkt. No. 9. The magistrate judge filed a report and recommendation on June 30, 2014, recommending that Seaworld’s motion be dismissed. Dkt. No. 13. Specifically, the report and recommendation notes that “[t]he venue of removed actions is governed by 28 U.S.C. § 1441(a),’ which ‘expressly provides that the proper venue of a removed action is the district court of the United States for the district and division embracing the place where such action is pending.’” *Id.* at 2 (quoting Polizzi v. Cowles Magazines, Inc., 345 U.S. 663 (1953)).

No objections to the report and recommendation have been filed, and the court is of the opinion that the report and recommendation should be adopted *in toto*. It is accordingly

ORDERED and **ADJUDGED** Seaworld's Motion to Dismiss for Improper Venue, Dkt. No. 4, is **DENIED** and that the report and recommendation, Dkt. No. 13, is **ADOPTED in its entirety**.

The Clerk is directed to send a certified copy of this Order to all counsel of record.

Entered: July 18, 2014

/s/ Michael F. Urbanski

Michael F. Urbanski
United States District Judge